1 C.S. 1001

SINGLE BENCH

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. _____ / 2006

Petitioner — R.C. Sahu, Age 58 Yrs. S/o Late Jeevanlal Sahu Chief Executive Officer, Janpad Panchayat Chura, Teh. Gariaband, Raipur

P.R. No. 3419/06
Presented by Rajesh Shay Ms
dated 2/12/06

VERSUS

Respondent — 1. State of Chhattisgarh, Through: Secretary, *Anusuchit Janjati tatha Anusuchit Jati Vikas Vibhag, Mantralaya,* Raipur

2. R.S. Thakur, Age & S/o not known Chief Executive Officer, Janpad Panchayat Tokapal, Distt. Bastar

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CLERK to A.G. BILASPUR
7/11/06

WRIT PETITION U/A. 226 OF THE CONSTITUTION

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

22

मामला क्रमांक wr. 3361/06 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	11-7-2006	

Mr. Raja Sharma, counsel for the petitioner.

Miss Deepali Pandey, Panel Lawyer for the State/respondent No.1, on advance copy.

Heard.

By this writ petition under Article 226 of the Constitution of India, the petitioner has questioned the legality, propriety and correctness of the order dated 28-6-2006, whereby the petitioner has been transferred from Janpad Panchayat: Chura, District: Raipur to Janpad Panchayat: Tokapal, District: Bastar.

The main ground of challenge is that the petitioner has completed only 8 months at the present place of posting and moreover, the petitioner is going to retire within a period of 1 year 11 months on attaining the superannuation age. As per the Government policy, at the verge of retirement, the Officers must be allowed to continue nearby their native place and they should not be transferred as their pension matter is to be settled. The petitioner's wife is a patient of breast cancer, she is taking treatment at Raipur, and the petitioner's aunt is 75 years old widow and she is residing with him.

Learned counsel for the petitioner submits that raising all these difficulties, the petitioner may be allowed to make a representation to respondent No.1, to which learned counsel appearing for the State/respondent No.1 has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on merit of

(पीछे देखिये)

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

23

मामला क्रमांक W.P.3361/ सन् 2006

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	the case, the prayer made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation raising all his grievances and annexing a copy of this writ petition within 10 days from today to respondent No.1, in turn, respondent No.1 shall decide the representation within 30 days from the date of its receipt in an objective manner, in accordance with law. If the petitioner is not already relieved, he should not be relieved, till the decision of the representation. With the directions aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.2588/2006 also stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	

Soma

(पीछे देखिये)